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# Rules of Department of Economic Development

## Division 240—Public Service Commission

### Chapter 120—New Manufactured Homes

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**Title 4—DEPARTMENT OF  
ECONOMIC DEVELOPMENT**

**Division 240—Public Service  
Commission**

**Chapter 120—New Manufactured Homes**

**4 CSR 240-120.010 General Provisions**

(Rescinded February 11, 1977)

*AUTHORITY: section 700.040, RSMo 1976.*

*Rescinded: Filed Nov. 12, 1976, effective  
Feb. 11, 1977.*

**4 CSR 240-120.011 Definitions**

*PURPOSE: This rule defines the terms used  
in this chapter.*

*Editor's Note: The secretary of state has  
determined that the publication of this rule in  
its entirety would be unduly cumbersome or  
expensive. The entire text of the material ref-  
erenced has been filed with the secretary of  
state. This material may be found at the  
Office of the Secretary of State or at the head-  
quarters of the agency and is available to any  
interested person at a cost established by  
state law.*

(1) The following definitions, as well as those set out in section 700.010, RSMo (1986), shall apply to this chapter:

(A) Act means the National Manufactured Home Construction and Safety Standards Act of 1974, Title VI of the Housing and Community Development Act of 1974 (42 USC 5401);

(B) Alteration means the replacement, addition, modification or removal after a certification label has been affixed of any components for which the code includes a criterion;

(C) Certification label or label means the approved form of certification that, under 24 CFR section 3282.362(c)(2)(i), is permanently affixed to each transportable section of each manufactured home manufactured for sale in the United States;

(D) Certified new manufactured home means a new manufactured home to which a certification label has been affixed;

(E) Director means the director of the Division of Manufactured Homes, Recreational Vehicles and Modular Units of the Public Service Commission and those working under his/her supervision;

(F) Federal standards means the federal manufactured home construction and safety standards promulgated under Section 604 of the Act (42 USC 5403);

(G) HUD means the United States Department of Housing and Urban Development;

(H) HUD regulations means the rules promulgated by the secretary of HUD under Section 625 of the Act (42 USC 5424);

(I) New home means a manufactured home which has not been sold at retail or rented, leased or occupied as a dwelling or a place of business;

(J) State administrative agency means an agency of a state which has been approved or conditionally approved to carry out a state plan for enforcement of the federal standards under Section 623 of the Act (42 USC 5422);

(K) State plan means the procedure by which a state administrative agency proposes to cooperate with the secretary of HUD in the administration and enforcement of the federal standards; and

(L) State plan application means the application of a state agency to be approved by the secretary of HUD as a state administrative agency.

(2) All sections of Chapter 700, RSMo cited are contained in Senate Substitute for House Committee Substitute for House Bill No. 1393, 78th General Assembly, Second Regular Session.

*AUTHORITY: section 700.040, RSMo Supp. 1989. Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983.*

*\*Original authority 1973 amended 1976, 1978, 1982, 1984, 1989.*

**4 CSR 240-120.020 Seals**

(Rescinded February 11, 1977)

*AUTHORITY: section 700.040, RSMo 1976. Rescinded: Filed Nov. 12, 1976, effective Feb. 11, 1977.*

**4 CSR 240-120.021 HUD Agreement**

*PURPOSE: This rule declares that the commission shall cooperate with Housing and Urban Development in the administration and enforcement of the federal standards.*

(1) The commission shall submit a state plan application to the United States Department of Housing and Urban Development (HUD). Upon approval of the commission's state plan application, it shall cooperate, according to the provisions of the plan, with HUD in the

administration and enforcement of the federal standards.

*AUTHORITY: section 700.040, RSMo Supp. 1989. Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977.*

*\*Original authority 1973, amended 1976, 1978, 1982, 1984, 1989.*

**4 CSR 240-120.030 Standards Code**

(Rescinded June 11, 1977)

*AUTHORITY: section 700.040, RSMo 1976. Rescinded: Published April 1, 1977, effective June 11, 1972.*

**4 CSR 240-120.031 Administration and Enforcement**

*PURPOSE: This rule delegates the responsibility for administering and enforcing the code, the state plan, this chapter, Chapter 700, RSMo as it relates to new manufactured homes.*

(1) The commission's powers and responsibilities under Chapter 700, RSMo with respect to new manufactured homes, except the power to revoke, deny, refuse to renew or place on probation a registration under section 700.090, RSMo, are delegated to the director.

*AUTHORITY: section 700.040, RSMo Supp. 1989. Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983.*

*\*Original authority 1973, amended 1976, 1978, 1982, 1984, 1989.*

**4 CSR 240-120.040 Certification Labels**

*PURPOSE: This rule describes the new manufactured homes to which certification labels must be affixed.*

(1) No new manufactured home which entered the first stage of production after November 22, 1976 shall be rented, leased or sold, or offered for rent, lease or sale in this state unless a certification label is properly affixed to it.

*AUTHORITY: section 700.040, RSMo Supp. 1989. \* Emergency rule filed Nov. 12, 1976,*

effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983.

*\*Original authority 1973, amended 1976, 1978, 1982, 1984, 1989.*

**4 CSR 240-120.050 Consumer Complaint Handling and Remedial Actions**

*PURPOSE: This rule sets out procedures to be followed by manufacturers and the commission when a consumer complaint or other information is received which indicates the possible existence of an imminent safety hazard, serious defect, defect or noncompliance in a new manufactured home which has been sold or otherwise released by a manufacturer to another party.*

*Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the rule has been filed with the secretary of state and is summarized here by the agency adopting it. The entire text of the rule may be found at the headquarters of the commission and is available to any interested person at a cost established by state law.*

(1) The Housing and Urban Development (HUD) regulations regarding the procedures to be followed by manufacturers and state administrative agencies when they receive a consumer complaint or other information indicating the possible existence of an imminent safety hazard, serious defect or non-compliance in a new manufactured home are incorporated by reference in this rule. Specifically these regulations include sections 3282.403 through 3282.417 of 24 CFR 3282. The definitions set out in 24 CFR section 3282.7 shall control interpretations of this rule.

*AUTHORITY: section 700.040, RSMo Supp. 1989. \* Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983.*

*\*Original authority 1973, amended 1976, 1978, 1982, 1984, 1989.*

**4 CSR 240-120.060 Inspections**

*PURPOSE: This rule sets forth the extent to which the books, records, inventory and premises of manufacturers and dealers of new*

*manufactured homes are subject to inspections by the director.*

(1) The books, records, inventory and premises of manufacturers and dealers of new manufactured homes, from time-to-time during normal business hours, shall be subject to an inspection by the director to ascertain if a manufacturer or dealer is complying with Chapter 700, RSMo as it relates to new manufactured homes, this chapter, the federal standards and the Housing and Urban Development regulations and also to ascertain if grounds exist under section 700.100, RSMo to reject an application for registration filed under section 700.090, RSMo or to refuse to renew or to suspend, revoke or place on probation a registration which has been made under section 700.090, RSMo.

*AUTHORITY: section 700.040, RSMo Supp. 1989. \* Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983.*

*\*Original authority: 1973 amended 1976, 1978, 1982, 1984, 1989.*

**4 CSR 240-120.070 Manufacturers and Dealers Reports**

*PURPOSE: This rule provides that manufacturers and dealers shall file reports with the secretary of Housing and Urban Development as may be required under Section 614 of the Act, 42 USC 5413 and with the director.*

*Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the secretary of state. This material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.*

(1) Manufacturers and dealers shall file reports with the secretary of Housing and Urban Development as required under Section 614 of the Act, 42 U.S.C. 5413.

(2) Manufacturers shall mail or deliver to the director by the tenth day of each month a report which identifies the new manufactured homes by make, style and identifying number to which certification labels have been affixed since the previous report and the certification

label number for each such manufactured home.

*AUTHORITY: section 700.040, RSMo 1986. \* Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983.*

*\*Original authority 1973 amended 1976, 1978, 1982, 1984, 1989.*

**4 CSR 240-120.080 Commission Reports**

*PURPOSE: This rule provides that the director shall make reports to the secretary of Housing and Urban Development as required by the Housing and Urban Development regulations.*

*Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the secretary of state. This material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.*

(1) The director shall make reports to the secretary of Housing and Urban Development as required by 24 CFR section 3282.554.

*AUTHORITY: section 700.040, RSMo Supp. 1989. \* Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 22, 1976, effective Feb. 11, 1977.*

*\*Original authority 1973, amended 1976, 1978, 1982, 1984, 1989.*

**4 CSR 240-120.090 Inspection and Approval of Alterations**

*PURPOSE: This rule establishes the procedure by which commission approval of alterations made to certified new manufactured homes may be obtained.*

(1) No certified new manufactured home which entered the first stage of production after November 22, 1976 on which an alteration has been made shall be rented, leased or sold or offered for rent, lease or sale in this state unless the alteration has been approved in writing by the director.

(2) Director approval of alterations shall be requested by a written application executed on a form provided by the director upon request. Applications may be submitted only by the person or entity who owns the new manufactured home to which the alteration for which approval is sought has been made. To be complete, the applications shall include:

(A) The name and address of the manufacturer of the new manufactured home to which the alteration has been made;

(B) The make, style and manufacturer's identifying number of the new manufactured home to which the alteration has been made;

(C) A description of the alteration; and

(D) An affidavit of the applicant or the applicant's authorized representative if the applicant is a corporation, certifying that the alteration complies with the federal standards.

(3) Within eight (8) working days after a complete application has been received by the director, s/he shall inspect the alteration to determine if it complies with the federal standards. If through no fault of the applicant the inspection is not conducted within the prescribed time, the requested approval shall be issued within the required time if no basis for rejection is found on the face of the application.

(4) Written approval of an alteration or a written rejection or an application for the approval shall be issued by the director within ten (10) working days after a complete application for written approval has been received by the director. A notice of rejection shall specify the reason for the rejection.

*AUTHORITY: section 700.040, RSMo Supp. 1989. \* Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983.*

*\*Original authority 1973, amended 1976, 1978, 1982, 1984, 1989.*



**Manufactured Housing Department  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102**

**Application For Permission To Alter A Manufactured Home**

Name & Address of Owner: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Manufacturer of Home: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Model of Home: \_\_\_\_\_

Serial Number: \_\_\_\_\_

HUD Label Number:  
(if applicable) \_\_\_\_\_

Date of Manufacture: \_\_\_\_\_

Briefly describe the alteration you are seeking permission to make:  
(attach additional sheet if necessary)

**Note:**

- 1) No certified new manufactured home which entered the first stage of production after November 22, 1976 on which an alteration has been made shall be offered for rent, lease or sale in this state unless alteration has been approved in writing by the director.
- 2) Federal law requires that the dealer maintain complete records of all alterations made on a manufactured home originally manufactured in compliance with the federal Manufactured Home Construction and Safety Standards.
- 3) Manufacturer's written instructions, approval, or both, may be required to be submitted with this application.
- 4) An affidavit signed before a notary public indicating that the applicant will insure that all alterations will comply with the required code must accompany this application.
- 5) If applicant is a corporation, a written statement from a corporate officer indicating that the person filling out this application has actual authority to do so must accompany this application.

**4 CSR 240-120.100 Code**

*PURPOSE: This rule establishes the code for new manufactured homes which entered the first stage of production after November 22, 1976 and are rented, leased, sold or offered for rent, lease or sale in this state.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.*

(1) The federal standards as incorporated by reference in 24 CFR Part 3280 constitute the code to be applied to new manufactured homes which entered the first stage of production after November 22, 1976 which are rented, leased or sold or offered for rent, lease or sale in this state.

(2) All new manufactured homes shall be set up or installed according to the manufacturer's installation instructions.

*AUTHORITY: section 700.010, RSMo 2000. \* Emergency rule filed Nov. 12, 1976, effective Nov. 22, 1976, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983. Amended: Filed April 26, 2001, effective Dec. 30, 2001.*

*\*Original authority: 700.010, RSMo 1973, amended 1976, 1978, 1982, 1984, 1994, 1999.*

**4 CSR 240-120.110 Complaints and Review of Director Action**

*PURPOSE: This rule provides for the manner in which complaints may be filed and the procedure by which commission review of the decisions, directives and interpretations of the director may be obtained.*

(1) Any person aggrieved by a violation of this chapter or Chapter 700, RSMo, as it relates to new manufactured homes, may file a formal or informal complaint with the commission under 4 CSR 240-2.070.

(2) Commission review of the decisions, directives and interpretations of the director which relate to the code, this chapter or Chapter 700, RSMo as it relates to new manufactured homes, may be obtained by filing a written informal or formal complaint under 4 CSR 240-2.070. In such a complaint the director shall be denominated as the respondent.

*AUTHORITY: section 700.040, RSMo Supp. 1989. \* Emergency rule filed Nov. 12, 1977, effective Nov. 22, 1977, expired March 22, 1977. Original rule filed Nov. 12, 1976, effective Feb. 11, 1977. Amended: Filed Oct. 12, 1982, effective Jan. 13, 1983. Amended: Filed April 26, 2001, effective Dec. 31, 2001.*

*\*Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989.*

**4 CSR 240-120.120 Criteria for Good Moral Character for Registration of Manufactured Home Dealers**

*PURPOSE: The Missouri Public Service Commission is charged with the responsibility of determining that applicants for registration as manufactured home dealers are of good moral character. This rule establishes the criteria for evaluating applicants for dealer registration as to their good moral character.*

(1) Registration as a manufactured home dealer will be denied for lack of good moral character if—

(A) The applicant, within the ten (10) years preceding the application, has been convicted in any federal or state court of a felony relating to the acquisition or transfer of a manufactured home or any other form of property; or

(B) The applicant, within the five (5) years preceding the application, has been convicted in any federal or state court of a misdemeanor relating to the acquisition or transfer of a manufactured home or any other form of property.

(2) For the purposes of this rule, the applicants who must show good moral character include all partners of the dealership if the dealership is a partnership; all officers of the dealership if the dealership is a corporation; or all owners of the dealership if the dealership is neither a partnership nor a corporation.

*AUTHORITY: section 700.455, RSMo Supp. 1987. \* Original rule filed Nov. 8, 1985, effective Feb. 24, 1986.*

*\*Original authority: 700.455, RSMo 1985, amended 1987.*

**4 CSR 240-120.130 Monthly Report Requirement for Registered Manufactured Home Dealers**

*PURPOSE: This rule outlines the information that registered manufactured home dealers must file with the Missouri Public Service Commission and the form and manner of this filing.*

(1) Each person registered as a manufactured home dealer must file a monthly sales report with the commission no later than the tenth of the month following the month when the sales were made.

(2) The report may be filed only upon the commission's form for monthly sales reports. These forms may be obtained from the Missouri Public Service Commission, P.O. Box 360, Jefferson City, MO 65102.

(3) The director may reject all monthly sales reports that are incomplete.

(4) Failure to submit a completed monthly report by the due date could result in suspension or revocation of the dealer's registration under section 700.090, RSMo.

(5) A report must be filed for each month or part of a month for which the person is a registered manufactured home dealer. If no sales are made in a given month, the dealer must file the usual form no later than the tenth of the following month stating no sales were made.

(6) The report must be signed by an officer of the dealership if the dealership is a corporation; by a partner of the dealership if the dealership is a partnership; or by an owner of the dealership if the dealership is neither corporation nor a partnership.

(7) The dealer shall maintain a copy of this report for the records of the dealership.

(8) Every monthly sales report shall contain the following information:

(A) Dealer certificate number and name;

(B) The street address and telephone number at the actual dealership location as well as the city, state and zip code;

(C) The date of sale for each manufactured home sold;

(D) The sale price of each unit sold;

(E) The size of each unit sold;

(F) The name of the manufacturer of each unit sold as well as the year of manufacture;



- (G) The serial number from the certificate of origin for each unit sold;
- (H) Whether each unit sold is new or used;
- (I) The total number of new units sold;
- (J) The total number of used units sold;
- (K) The total sale price for all new units; and
- (L) The total sale price for all used units.

*AUTHORITY: section 700.460, RSMo 1994. \* Emergency rule filed Nov. 8, 1985, effective Nov. 18, 1985, expired March 18, 1986. Original rule filed Nov. 8, 1985, effective Feb. 24, 1986. Amended: Filed Sept. 5, 2000, effective April 30, 2001.*

*\*Original authority: 700.460, RSMo 1985.*

**4 CSR 240-120.135 New Manufactured Home Inspection Fee**

*PURPOSE: This rule provides for the manner in which inspection fees assessed on new manufactured home sales are calculated by the commission and submitted by registered dealers.*

(1) The commission may, prior to the beginning of each fiscal year starting with the fiscal year commencing on July 1, 2000, issue an order establishing an inspection fee to be assessed on all new manufactured homes sold in the state of Missouri. Said inspection fee will be calculated as follows:

(A) The commission will determine the funding needs of the manufactured housing and modular units program;

(B) The director will determine through dealer monthly sales reports the aggregate number of new manufactured homes, pre-owned manufactured homes, and modular units sold in the 12-month period commencing May 1 and ending April 30 immediately preceding each fiscal year;

(C) The director will estimate the funds that the program will receive through dealer and manufacturer registrations, plan approvals, and any other fees that the program receives on a yearly basis, based on prior year's receipts; and

(D) The director will subtract the amount determined in subsection (C) above from the program's legislative appropriation. That amount will then be divided by the aggregate number of new manufactured homes, pre-owned manufactured homes, and modular units sold as determined in subsection (B) above. The resulting amount will be rounded up to the next nearest whole dollar amount. This amount will be presented to the commission for approval.

(2) New manufactured home dealers shall remit fees to the director in an amount that equals the number of new manufactured homes sold, multiplied by the inspection fee as approved by the commission. Dealers shall submit said fee with the monthly sales report that is required by 4 CSR 240-120.130 and 4 CSR 240-123. Said fee shall be received no later than the tenth day following the month when the sales were made.

(3) The following situations shall constitute grounds for the denial, suspension, revocation, or placing on probation of a dealer's certificate of registration:

(A) Failure to pay fees within 30 days of their prescribed due date;

(B) Failure to pay fees by the prescribed due date for two consecutive months; or

(C) Failure to pay fees by the prescribed due date for any four of the preceding 12 months.

(4) If a dealer remits the inspection fee for a new manufactured home and the sale is rescinded within 60 days of the date of the sale, the dealer has 60 days from the date of said rescission to request that the inspection fee be credited to the next month in which a dealer has a sale subject to the inspection fee.

(5) The director shall deliver copies of the commission's order establishing the new manufactured home inspection fee for the fiscal year to all existing registered dealers no later than July 15 of each fiscal year. The director shall also deliver a copy of the commission's order establishing the fee with each approved certificate of dealer registration.

*AUTHORITY: sections 700.040 and 700.115, RSMo Supp. 1999. \* Original rule filed Sept. 5, 2000, effective April 30, 2001.*

*\*Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999; 700.115, RSMo 1976, amended 1978, 1982, 1984, 1995.*